

REMARKS/ ARGUMENTS

The foregoing amendment and the following arguments are provided to impart precision to the claims, by more particularly pointing out the invention, rather than to avoid prior art.

Double Patenting Rejection

Claims 1-28 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-28 of copending application 09/752,644.

35 U.S.C. § 102(b) Rejections

Examiner rejected claims 1-3, 7, 9, and 10-12 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 6,240,521 (hereinafter "Barber").

"To anticipate a claims, the reference must teach every element of the claim. A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." (Manual of Patent Examining Procedures (MPEP) ¶ 2131.)

Independent claims 1, 10, and 20 of the present application include limitations not disclosed or taught by Barber. As a result, claims 1, 10, and 20 are patentable over Barber.

In particular, applicant's claims, as amended, include the limitation, or a limitation similar there to, of:

Transitioning a processor of a computer system into a low power mode, *the system having a memory, a disk drive unit, and a shared database, the database to store at least a partial copy of data stored in the disk drive unit*; and

after the processor has transitioned into the low power mode, *accessing data contained within the shared database of the computing system, via a low-power subsystem*. (emphasis added). (Applicant's claim 1).

Barber, however, does not disclose nor suggest the limitation of a system that has a low power subsystem that access a shared database when the processor of the computer system is in a low power mode, claimed by applicant.

Rather, Barber is limited to disclosing:

[A] notebook computer has two processors, one being very low-powered for extending battery life, the other being very fast for multimedia presentations and heavy number crunching. A user selects a processor appropriate for the intended use. (Barber Summary Of Invention.)

Therefore, in view of applicant's independent claims including limitations that are not disclosed nor suggested by Barber, applicant's independent claims are patentable over Barber.

In addition, the remaining claims depend from one of the independent claims as discussed above, and therefore include similar limitations, and as a result are also patentable over Barber.

CONCLUSION

Applicants respectfully submit the present application is in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call John Ward at (408) 720-8300, x237.

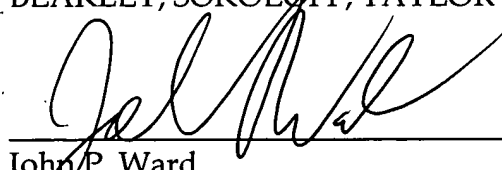
Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Date: _____

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